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Gibson Dunn Ends Saudi Arabia Lobbying Contract

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By C. Ryan Barber | October 18, 2018

The law firm **Gibson, Dunn & Crutcher** (<https://www.law.com/law-firm-profile/?id=119&name=Gibson-Dunn>) on Thursday stopped **lobbying**



Ted Olson of Gibson, Dunn & Crutcher
(Photo: Diego M. Radzinski / ALM)

(<https://www.law.com/nationallawjournal/2018/09/12/gibson-dunns-ted-olson-registers-as-foreign-agent-for-saudi-arabia/>) on behalf of Saudi Arabia against U.S.

legislation affecting oil-producing countries, becoming the latest firm to end ties with the kingdom amid international outcry over the disappearance and suspected slaying of dissident Saudi journalist Jamal Khashoggi.

Three Gibson Dunn lawyers—including partner Theodore Olson Jr.—were named in August on a **\$250,000 flat-fee lobbying contract** (<https://drive.google.com/file/d/1iSi0nww2iwF4XlhH8gs3h4tz-oBeL82L/view>) for the kingdom, and the advocacy included the preparation of a white paper opposing the passage of the legislation No Oil Producing and Exporting Cartels Act, widely known as NOPEC. The firm also agreed to prepare an op-ed challenging the legislation, along with an in-depth analysis of the bill, introduced this year in the U.S. House of Representatives.

The firm has declined to expand the scope of its lobbying to include meetings between Olson, a former U.S. solicitor general under the George W. Bush administration, and members of Congress. Its agreement with Saudi Arabia included an option to include that advocacy for a monthly fee of \$100,000. The end of the representation was revealed in a regulatory filing obtained by the National Law Journal.

The move comes on the heels of Glover Park Group and BGR Group **deciding** (<https://www.politico.com/story/2018/10/15/glover-park-group-bgr-group-saudi-arabia-901364>) to cut ties with Saudi Arabia as the kingdom comes under increasing scrutiny over the disappearance of Khashoggi, who went missing more than two weeks ago after visiting the Saudi consulate in Istanbul. On Thursday, Treasury Secretary Steven Mnuchin said he **would no longer participate** (<https://www.nytimes.com/2018/10/18/us/politics/saudi-arabia-khashoggi-mnuchin.html>) in an upcoming investment conference in Saudi Arabia. Other business and tech executives also **have dropped out** (<https://www.law.com/americanlawyer/2018/10/16/amid-boycott-saudi-arabian-conference-draws-in-global-arbitration-lawyers/>) of the Future Investment Initiative in Riyadh.

The kingdom has denied any role in Khashoggi's disappearance. A person who answered the phone at the Saudi embassy in Washington on Thursday said no one was available to provide a comment.

Gibson Dunn declined to comment on the conclusion of its contract, a client relationship that required the firm to file papers with the U.S. Justice Department under the Foreign Agents Registrations Act, or FARA, which requires the disclosure of U.S. lobbying activity for foreign governments. In addition to Olson, Gibson Dunn partner Amir Tayrani and associate Benjamin Olson registered represent Saudi Arabia.

Gibson Dunn's registration to represent Saudi Arabia, dated Sept. 7, marked its first filing under FARA in more than 20 years. The firm had previously represented Saudi Arabia in the mid-1990s.

Gibson Dunn's contract included broad language outlining scenarios that would allow it to drop the kingdom as a client. The agreement gave Gibson Dunn "the right to withdraw from this representation" in the event that Saudi Arabia failed to pay the firm in a "timely manner" or if it failed to follow its advice on a "material matter." Another scenario envisioned in the contract terms was more open to interpretation: the emergence of a "fact or circumstance" that would, in Gibson Dunn's view, "render our continuing representation unlawful or unethical."

Several other U.S. law firms filed disclosures under FARA this year in connection with their lobbying work for Saudi Arabia. Those firms include **Hogan Lovells** (<https://www.law.com/law-firm-profile/?id=143&name=Hogan-Lovells>) and **Brownstein Hyatt Farber Schreck** (<https://www.law.com/law-firm-profile/?id=2568&name=Brownstein-Hyatt-Farber-Schreck>).

Hogan Lovells is **paid** (<https://assets.documentcloud.org/documents/5008045/hogansaudi2018.pdf>) a monthly retainer of \$125,000 to provide "strategic and legal advice on legislative, regulatory, and public policy activities of interest."

Among the Hogan Lovells attorneys advising Saudi Arabia is former U.S. Sen. Norm Coleman, R-Minnesota, now senior counsel at the firm. The agreement is set to expire at the end of the year. A Hogan Lovells spokesman declined to comment.

Brownstein Hyatt Farber Schreck also **receives**

(<https://assets.documentcloud.org/documents/5008044/brownsteinsaudi2018.pdf>),

a monthly fee of \$125,000 to lobby for Saudi Arabia, according to the firm's May agreement with the kingdom. A 2016 agreement stated that the firm would serve as policy counsel to Saudi Arabia's Ministry of Foreign Affairs "in connection with certain priority legislative issues of importance to the U.S.-Saudi Arabia bilateral relationship." Alfred Mottur, the Brownstein Hyatt partner named on the agreement, did not return calls seeking comment.

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(https://at.law.com/XFebGV?cmp=share_twitter)

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